

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ESAU REDIX,

Plaintiff,

v.

NAVARRO, *et al.*,

Defendants.

1:20-cv-01647-DAD-SAB (PC)

ORDER REQUIRING DEFENDANTS TO
RESPOND TO PLAINTIFF'S MOTION TO
ENFORCE SETTLEMENT AGREEMENT

(ECF No. 39)

TWENTY-ONE (21) DAY DEADLINE

Plaintiff Esau Redix ("Plaintiff") is a state prisoner who proceeded *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On November 9, 2021, a settlement conference was held before the undersigned. The terms and conditions of the settlement agreement were placed on the record and the Court retained jurisdiction to enforce the settlement. (ECF No. 35.)

On November 19, 2021, Plaintiff and Defendants Campos and Gonzales filed a stipulation to dismiss Defendants Campos and Gonzales, with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (ECF No. 36.) The same date, the remaining parties filed a stipulation to dismiss this action, with prejudice, pursuant to Rule 41(a)(1)(A)(ii), and indicating that the Court will retain jurisdiction over this matter for one year for enforcement of settlement purposes only. (ECF No. 37.) The action was then closed. (ECF No. 38.)

1 Currently before the Court is a letter from Plaintiff to the undersigned, filed February 1,
2 2022. (ECF No. 39.) In the letter, Plaintiff states that although a settlement was reached on
3 November 9, 2021, as of January 18, 2022 he has not received any funds. Plaintiff requests an
4 explanation as to why he has not gotten his funds. (*Id.*) The Court construes Plaintiff's motion as
5 a motion to enforce the settlement agreement.

6 The Court finds it appropriate to obtain a response from Defendants regarding the motion.
7 Accordingly, Defendants shall file a response to Plaintiff's motion, (ECF No. 39), within **twenty-**
8 **one (21) days** from the date of this order. Plaintiff's reply, if any, is due within **seven (7) days**
9 from the date of filing of Defendants' response.

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11 IT IS SO ORDERED.

12 Dated: February 2, 2022

/s/ Barbara A. McAuliffe
13 UNITED STATES MAGISTRATE JUDGE
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